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*Association of the bar of the
city of New York.*

BAR ASSOCIATION

OF THE

CITY OF NEW YORK.

Constitution and Address.

New York :

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TO THE MEMBERS OF THE BAR OF THE
CITY OF NEW YORK.

Some of our number who were strongly impressed with the importance in many ways of having our profession in this city organized into an association, having conferred together at intervals during the past year, resolved to make a beginning towards accomplishing this object. A short form of pledge was prepared and sent to a number of gentlemen for signature. When about two hundred names had been secured, it was thought proper to call the signers together for conference, and the result of their meeting was the appointment of committees to draft a constitution and to nominate officers. The constitution has been adopted, and the officers provided for in it have been chosen, and what has so far been done is now submitted to the profession at large, with the earnest hope that the project will receive the approval of every lawyer who has the dignity and honor of his calling at heart, and who feels the necessity of the harmonious co-operation of an upright Bar and a pure judiciary in the administration of justice.

It may be asked, why was not the whole body of the profession consulted ? Our answer is that such a course seemed impracticable. No one had authority to convene a general meeting of the Bar. Had such a meeting been called,

those who might have assembled would have had no more authority than any self-constituted committee. It is always necessary in such enterprises for a few to take the first steps. They naturally, in so doing, expose themselves to criticism, and must rely upon the integrity of their motives and the wisdom of their plans for their justification. The circular was sent to many besides those who signed it. Some delayed, others were absent, but we wish to assure all that there was no intentional avoidance of those who it was thought would unite with us. It is hoped, therefore, that any who may feel that they were justly entitled to be consulted, will consider the labor of seeing personally a large number of individuals, and explaining to each the details of unmatured plans, and will generously overlook any apparent assumption of authority on our part in view of the importance of the object proposed, and of the obvious difficulties of any plan.

In this spirit it is also hoped that they will accept for the present the constitution now submitted. It is the result of much discussion and consideration, and yet may seem to many quite defective. When the Association shall embrace a larger proportion of the profession, a review of the work will naturally take place.

It may seem invidious to require that any member of the Bar should submit to scrutiny his claims to membership in such an association, but as some selection is indispensable, no other plan seemed on the whole so unobjectionable as to constitute a committee to pass upon all applications. It is hoped that the character of the gentlemen who compose this committee, and the large number of negative votes

required to exclude an applicant, will furnish an assurance against any caprice or injustice in their action.

The question has been frequently asked, what do you propose, what is to be gained by joining this association? We answer that our immediate object is simply organization.

It seems like an abdication of its legitimate position, that the Bar of the City of New York, numbering its members by thousands, should have absolutely no organization whatever; that its influence in all matters affecting either its own dignity and interests as a profession, or the general good as connected with the advancement of jurisprudence or reforms in the administration of justice, should be only that divided and dispersed influence of its members, which from being divided and dispersed, goes for nothing. When its members were fewer and a longer probation was required for admission to its ranks, the traditions of the profession served, to some extent, to answer the purpose of a corporate organization. But since 1846, the era of our present State Constitution, events affecting, not the Bar only, but the whole fabric of public and social life, have succeeded each other with unparalleled rapidity. The barriers to admission to the Bar have been substantially removed; the distinctions between attorney, solicitor and counsellor, have been obliterated; the judges have been made elective by the popular voice for a short term only, and a system thus introduced which has necessarily exposed them to partizan influences.

During the same period has come into operation a new system of procedure, which gives to the judges so elected larger discretionary powers than ever before, and a patronage in the appointment of receivers and referees, and in the

granting of commissions and allowances, the exercise of which is at least dangerous.

With these changes, more immediately affecting our profession, have come during the same period the discovery of new gold fields, the immense issues of paper currency during our civil war, the excitements, the social vicissitudes produced by that conflict, the changes in measures of value, the growth of corporate enterprise, the increase of luxury and the social demoralization which confront us on every side.

What has been the effect of all these things on the Bar? Many say, its glory and dignity are gone, that it has ceased to be a noble profession and is merely a trade with the rest. We do not admit this charge. But we mean to come together as a body, to look the question fairly in the face, and if we find that we have been tainted by the influence of the times to undertake ourselves the work of purification, to revive a past renown, and give new life to traditions which we believe to be only dormant, not extinct. What specially is to be undertaken ought not to be determined by the few who have taken the lead in the enterprise. The association will itself, after mature consideration, decide upon its own action; but lest the feeling which has prompted the present movement should, after its first impulse, flicker and die out, it is proposed to make our association a permanent institution, to procure a commodious building up town, and to establish in it a well-appointed law library. Having, besides this, rooms for consultation and social intercourse, we feel that we shall offer, especially to the younger members of the Bar, an equivalent at least for the expense of membership. The larger our numbers, the more readily and speedily will our purposes be accomplished. With five hundred members our

pecuniary success would be assured, and we have encouragements that voluntary donations will at once enable us to lay the foundation of a library that will soon become the pride of our Bar. We work not for ourselves only, but for those who are to come after us, and we are confident that the spirit of our profession once aroused, we can do all that we require.

We have not been unmindful of our brethren in the other portions of the State. We could not imperil our own immediate objects by undertaking a more general organization, but we look forward to the forming of similar associations in other cities and counties, with which we hope to be affiliated, and if from them may grow an Association of the Bar of the State of New York, worthy of the past history of that Bar, powerful by its intelligence and learning, and influential by its integrity and patriotism, the benefits of such an association, not only to ourselves, but to the entire commonwealth, can hardly be overestimated.

WILLIAM M. EVARTS,
HENRY NICOLL,
HAMILTON W. ROBINSON,
AUGUSTUS F. SMITH,
WILLIAM E. CURTIS,
WILLIAM C. BARRETT,
JAMES EMOTT,
CHARLES A. RAPALLO,

HENRY A. TAILER,
STEPHEN P. NASH,
SAMUEL B. GARVIN,
SIDNEY WEBSTER,
JAMES C. CARTER,
JOHN E. PARSONS,
WILLIAM G. CHOATE,
FRANCIS C. BARLOW,

Executive Committee.

CONSTITUTION,

(As adopted Feb. 15. 1870.)



ARTICLE I.

This Association shall be called the "The Bar Association of the City of New York."

ARTICLE II.

The Association is established to maintain the honor and dignity of the profession of the law, to cultivate social intercourse among its members and to increase its usefulness in promoting the due administration of justice.

ARTICLE III.

SECTION I.

The members of the Bar who signed the preliminary articles are hereby declared to be members of this Association, but such of them as shall omit to subscribe to this Constitution, and pay the admission fee, on or before the 15th day of March next, shall cease to be members, and can only become such by subsequent admission.

Any member of the profession, in good standing, residing or practising in the City of New York, may become a member, by vote of the Association, on recommendation of the Committee on Admissions as hereinafter provided, and on subscribing to this Constitution and paying the admission fee.

SECTION II.

The Committee on Admissions shall have power to make such regulations in relation to proposals for membership and notice thereof, and as they may, from time to time deem need-

ful. Candidates against whom there shall be five negative votes in the Committee shall not be recommended for admission. Upon being recommended, a vote by ballot shall be taken in the Association, and one negative vote in every five shall exclude the candidate.

ARTICLE IV.

OFFICERS.

The Officers of the Association shall be a President, five Vice-Presidents, a Recording Secretary, a Corresponding Secretary and a Treasurer. There shall also be an Executive Committee of fifteen members, of which Committee the President shall, *ex officio*, be a member; and a Committee on Admissions, to consist of twenty members. These Officers and Committees shall be elected at the Annual Meeting to be held on the second Tuesday of January in each year. The Association may provide by its By-laws for such other Standing Committees as it may deem necessary.

ARTICLE V.

The Executive Committee shall be vested with the title to all the property of the Association until it may be incorporated, as Trustees thereof, and shall manage its affairs, subject to the Constitution and By-laws; they shall provide a permanent place for the use of the Association, and shall appropriate such sums as they may deem fit for a Library and Reading Room.

ARTICLE VI.

A Library Committee, to consist of five members, shall be appointed by the Executive Committee, to hold office during their pleasure, and, subject to their directions, shall have charge of the Library and Reading Room, with power to expend upon the same such moneys as may be appropriated by the Executive Committee, or procured by voluntary subscription.

ARTICLE VII.

The Judges of the Courts of the United States, of the Court of Appeals, of the Supreme Court, and of all other Courts of Record of the State of New York, shall have the use of the Library and Reading Room of this Association, without the payment of fees.

ARTICLE VIII.

MEETINGS OF THE ASSOCIATION.

There shall be an annual meeting of the Association on the second Tuesday of January, and other stated meetings on the second Tuesdays of March, June and November in each year. At these stated meetings, and at any regular adjourned meeting thereof, all the powers of the Association may be exercised. Special meetings may be called at any time by the Executive Committee, and shall be called upon the written request of twenty members.

At such special meetings no business shall be transacted except such as shall be specified in the call thereof. The presence of fifty members, in addition to such members of the Executive Committee as may be present, shall be necessary to constitute a *quorum* at any meeting of the Association.

ARTICLE IX.

ADMISSION AND ANNUAL FEES.

The admission fee shall be Fifty Dollars, to be paid on signing the Constitution.

The annual dues shall be Forty Dollars, payable half-yearly, on the first days of May and November, each year; and any member in default, after thirty days notice, shall cease to be a member, unless excused by order of the Executive Committee.

In case of members of less than six years standing at the Bar, the Executive Committee may, until they shall have attained that standing, give them a credit for one-half their initiation fee, and remit one-half their annual dues.

ARTICLE X.

Any member of the Association may be suspended or expelled for misconduct in his relations to this Association or in his profession, on conviction thereof in such manner as may be prescribed by the By-laws, and all interest in the property of the Association, of persons resigning or otherwise ceasing to be members, shall vest in the Association.

ARTICLE XI.

This Constitution shall go into immediate effect and an elec-

tion of Officers and Committees, herein provided for, shall forthwith be had. They shall hold their offices until their successors are elected at the annual meeting, on the Second Tuesday in January, 1871.

ARTICLE XII.

All elections shall be by ballot. The Officers elected shall enter upon their duties immediately upon their election, and shall hold office until their successors are elected or appointed.

In case of a vacancy in any office, it shall be filled by appointment of the Executive Committee, until the next annual election.

ARTICLE XIII.

This Constitution may be amended by a two-third vote of the members present at any stated meeting of the Association, provided that notice of the proposed amendment, subscribed by ten members, be given at a previous meeting.

BY-LAWS.

I.

THE PRESIDENT AND VICE-PRESIDENTS.

The President shall preside at all meetings of the Association, and in case of his absence, any one of the Vice-Presidents, who shall be then chosen without ballot, shall preside.

II.

THE RECORDING SECRETARY.

The Recording Secretary shall keep a record of the proceedings of all meetings and of all other matters of which a record shall be deemed advisable by the Association.

He shall notify the Officers and members of their election, and shall keep a roll of the members, and shall issue notices of all meetings.

III.

THE CORRESPONDING SECRETARY.

The Corresponding Secretary shall conduct the correspondence of the Association with the concurrence of the President.

IV.

THE TREASURER.

The Treasurer shall collect, and, under the direction of the Executive Committee, disburse, all funds of the Association; he shall report annually and oftener, if required; he shall keep regular accounts, which shall be, at all times, open to the inspection of any member of the Executive Committee. His accounts shall be audited by a Committee of three members of the Association to be elected by ballot, at the stated meeting preceding the annual meeting in each year.

V.

MEETINGS OF THE EXECUTIVE COMMITTEE.

The Executive Committee shall meet at least once a month, except in July, August and September. They shall have power

to make such regulations not inconsistent with the Constitution and By-Laws, as shall be necessary for the protection of the property of the Association, and for the preservation of good order in the conduct of its affairs.

They shall keep a record of their proceedings, which shall be read at the ensuing meeting of the Association ; and it shall be their duty to present business for the action of the Association. They shall have no power to make the Association liable for any debts amounting to more than half of the amount in the Treasurer's hands, in cash, and not subject to prior liabilities ; nor shall they have power to make any contract binding personally upon members of the Association.

VI.

At each stated meeting of the Association, the order of business shall be as follows :

1. Reading of minutes of preceding meeting
2. Report of Executive Committee.
3. Report of the Treasurer.
4. Reports of Special Committees.
5. Miscellaneous business.

This order of business may be changed by a vote of the majority of the members present.

The usual parliamentary rules and orders otherwise than are herein provided, shall govern all meetings of the Association.

VII.

If any person elected does not, within one month after notice of his election, signify his acceptance by signing the Constitution and By-Laws, and payment of his admission fee, he shall be deemed to have declined to become a member.

VIII.

These By-Laws may be amended, at any stated meeting of the Association, by vote of two-thirds of those present ; provided that ten days' notice, in writing, of the proposed amendment has been given to the Executive Committee.





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